

**REMARKS**

Before the amendments made herein, claims 32 to 48, 50 to 52 and 54 and 59 were pending. Claims 50 to 52 and 54 have been canceled herein without prejudice. Accordingly, after the amendments made herein are entered, claims 32 to 48 and 59 will be pending.

**A. Regarding the § 112, first paragraph, rejection**

Claims 50 to 52 and 54 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly not enabled by the specification. Applicants respectfully traverse the rejection.

The Action alleges that the specification, while enabling for an isolated polynucleotide comprising SEQ ID NO:43, does not reasonably provide enablement for a transgenic organism comprising a host cell recombinantly expressing SEQ ID NO:44.

While Applicants beg to differ with these allegations, as stated in the previous response, to promote prosecution of this case Applicants have canceled claims 50 to 52 and 54 without prejudice. Accordingly, Applicants respectfully request that this rejection be withdrawn.

All of the issues raised in the Office Action have been addressed and are believed to have been overcome. Accordingly, it is respectfully submitted that all the claims under examination in the subject application are allowable. Therefore Applicants respectfully request a Notice of Allowance to this effect.

Respectfully submitted,



Martin Moynihan

Registration No. 40,338

Date: June 19, 2008

**Enclosures:**

- Petition for Extension (2 Months)
- Request for Continued Examination (RCE)